

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Robert Hatrak,
Plaintiff(s),
v.
Mercedes-Benz USA
Defendant(s).

Case No. 2:25-cv-00368-NJK

Order

This case involves allegations that the car purchased by Plaintiff from Defendant was defective. *See* Docket No. 1. On June 2, 2025, the parties reached a tentative settlement and indicated that they needed 30 days to file dismissal papers. *See* Docket No. 13. On July 2, 2025, the parties indicated that they were working to finalize the settlement and that dismissal papers would be filed within 30 days. Docket No. 15. After violating the order to file dismissal papers, *see* Docket Nos. 16, 17, on August 8, 2025, the parties again indicated that they were finalizing the settlement and that dismissal papers would be filed within 30-45 days. Docket No. 18. On September 25, 2025, the parties again indicated that they were finalizing the settlement and that dismissal papers would be filed within 30-45 days. Docket No. 20. In short, the parties have had four months to finalize this settlement in a case where the stakes (by federal litigation standards) are very low. While the parties indicate repeatedly that repurchasing the subject vehicle is “complex” and that they are using “commercially reasonable diligence,”¹ the Court is at a loss as to how it takes four months to do so.

¹ The parties are not engaging in these efforts in the ordinary marketplace, but rather in the context of federal litigation. It is not clear what the parties mean with respect to “commercially reasonable diligence,” but parties to federal litigation are required to engage in all reasonable efforts to comply with the deadlines set by the Court regardless of what may be acceptable in the ordinary commercial space.

1 The Court **SETS** an in-person hearing for 1:00 p.m. on October 21, 2025, in Courtroom
2 3C. This hearing will be vacated automatically if dismissal papers are filed by 3:00 p.m. on
3 October 20, 2025.

4 IT IS SO ORDERED.

5 Dated: September 26, 2025

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7 Nancy J. Koppe
8 United States Magistrate Judge

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